

**5th International Conference on Genocide**

**SPEECH BY JOHNSTON BUSINGYE, MINISTER OF JUSTICE  
AND ATTORNEY GENERAL**

**Sacramento State Campus**

**1 November 2018**

**Professor Robert Nelsen, President of California State  
University,**

**Faculty, Staff and Students of California State University,**

**Representatives of research institutions present**

**Distinguished panellists,**

**Ladies and Gentlemen;**

On behalf of the Government of Rwanda, I would like to express my sincere thanks to The Ethnic Studies Department for organizing this important conference, which is being held here for the fifth time, in collaboration with the Rwanda National Commission for the Fight against Genocide.

In about five months, Rwanda and the world will commemorate the 25 years since the Genocide perpetrated against the Tutsi. This symposium is an opportunity for experienced as well as new researchers better understanding of this Genocide, and build up the store of knowledge on this issue.

On January 26, 2018, the General Assembly of the United Nations adopted a resolution designating April 7 of each year as the International Day of Reflection on the Genocide perpetrated against the Tutsi in Rwanda in 1994.

This resolution modified another that had been adopted on 23 December 2003, which created some confusion in its title because it spoke of "International Day of Reflection on the Genocide in Rwanda" without naming which genocide it was.

There are no crimes without perpetrators and victims; it is therefore important when we talk about the gravity of genocide, to state the facts, to qualify for the honour of the victims, and also for the historical clarity.

Ladies and gentlemen,

All genocides come from an ideology of hatred, segregation, division, rejection of others and violence. This is taught, disseminated and publicly inculcated with the intention of extermination of a particular group of people. It is this ideology that lawyers call the intention of committing genocide that distinguishes genocide from other crimes against humanity.

This ideology of hate that precedes genocide is transmitted in advance to mobilise; and it is transmitted during the perpetration of the genocide to maximise participation in the killings and finally, it is transmitted after the perpetration of the genocide to deny the facts, to distort its reality, to denature its specificity, in order to discredit the honour and memory of the victims and to vindicate the perpetrators. This is why this conference on reflection on the forms of genocide is important.

Between 1990 and 1994, and particularly during 1993, one year before the genocide, there were many warning signs that the crime of genocide was being prepared.

A comprehensive mechanism of its execution was being put in place, including through the creation, training and arming of militias, the creation of hate media, and the drawing up of lists of people to be killed.

We will never know what would have happened had academics of the day acted on the different reports that described these warning signs pointing to an impending genocide. Would the outcome have been different if the researchers had published and used their influence in academic institutions to inform the world?

In 1999, the United Nations set up an independent international commission of inquiry to establish the organisation's responsibilities during the genocide. The Commission was chaired by Ingvar Carlsson, former Prime Minister of Sweden. In a report submitted to the UN in April 2000, the Commission concluded that UN intervention in Rwanda before and during the genocide is "***the absolute failure of the UN in Rwanda***".

The Commission indicated that while the United Nations has not been able to prevent and stop the Genocide committed against Tutsi, the responsibility lays with several actors, in particular the Secretary-General, the Secretariat, the Security Council, the United Nations Mission for Assistance in Rwanda (UNAMIR) and UN Member States.

The primary failure was that of not mobilizing resources and political commitment commensurate to the gravity of the situation in Rwanda. Member States failed to demonstrate political will and refused to act decisively.

On November 21, 1997, the Organization of African Unity (OAU), currently known as the AFRICAN UNION, set up an International Group of Eminent Persons, whose mission was "***to investigate the 1994 genocide in Rwanda and its consequences, to establish the facts about the conception, planning and execution of such a heinous crime, to examine the reasons for the failure of the implementation of the Genocide Convention***". This group published an important Report in 2000 with titled: "RWANDA: THE PREVENTABLE GENOCIDE".

The observation of that group is as follows: "***There can be no doubt that the international community knew that something terrible was happening in Rwanda; that even more appalling acts were in progress; that these acts went much further than the usual brutality; and that everyone has let it go. (...) The truth that emerges from our investigation is indisputably that the genocide that "The killings could have been prevented if there had been the international will to accept the costs of doing so. But to those, the will has been lacking and not the means. The world has abandoned Rwanda. "***

These are a few historical facts, which illustrate that the genocide committed against the Tutsi in Rwanda in 1994 was not an accident. Rather, it was well prepared by the highest authorities of the government through their political, administrative, civil and military apparatus, under the watch of the international community.

On 9<sup>th</sup> November 1994, the United Nations Security Council in Resolution 955 decided to establish an International Criminal Tribunal for Rwanda to try the perpetrators of genocide and other serious violations of international humanitarian law committed in 1994. In the first judgment of this international court on 2<sup>nd</sup> September 1998 against a former bourgmestre, Jean-Paul AKAYESU, the Tribunal clearly stated that genocide was committed in Rwanda against the Tutsi population.

Despite this evidence, genocide deniers, including a number of academics, continue to claim through their writings and publications that the genocide committed against Tutsi was not planned, that no element of its planning has been proven.

These researchers conveniently ignore that the International Criminal Tribunal for Rwanda has legally established in all its judgments that there was indeed an intent to commit genocide against Tutsi. In a very clear way, in its judgment of 16<sup>th</sup> December 2006 in the Karemera case, the ICTR found that the genocide committed against the Tutsi was a ***matter of common knowledge***, the existence of which is no longer a matter to challenge.

Negationism can in no way be accepted as a tolerable opinion or a legitimate right. Genocide denial is a crime. It is for this reason that it must be fought by all means, starting with the scientific and academic community.

I want to conclude by encouraging universities, particularly faculties of social sciences and history, to provide students with in-depth courses on the Genocide against the Tutsi, and to give them appropriate support to understand this phenomenon.

We welcome the fact that courses on the Holocaust are taught in Universities around the world; and this must continue for future generations.

It is equally important that other internationally recognized genocides are taught globally, so that the younger generations have sufficient knowledge to understand what happened in 1994, with the goal of preventing other atrocities from occurring. The National Commission for the fight against Genocide in Rwanda is ready to welcome researchers and support them in the work.

I thank you once again for inviting me to deliver this opening address. I look forward to the rich discussions and outcomes of this gathering.